

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Plankinton School District
Accountability Review - Focus Monitoring Report 2008-2009**

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Dates of On Site Visit: January 21, 2009

Date of Report: February 23, 2009

3 month update due: May 23, 2009 Date Received:

6 month update due: August 23, 2009 Date Received:

9 month update due: November 23, 2009 Date Received:

Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

1.GENERAL SUPERVISION

Present Levels: from January 30, 2007

Out of compliance: Needs Assistance

CFR 300.304 Evaluation Procedures a) Notice. The public agency must provide notice to the parents of a child with a disability, in accordance with 300.50, that describes any evaluation procedures the agency proposes to conduct.

24:05:25:04. Evaluation procedures.

The school districts shall ensure the child is assessed in all areas related to the suspected disability, including, as applicable, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

24:05:24.01:01. Students with disabilities defined.

Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or visual impairments including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services.

24:05:22:03. Certified child.

A certified child is a child in need of special education or special education and related services who has received a multidisciplinary evaluation and has an individual education program formulated and approved by a local placement committee. Documentation supporting a child's disabling condition as defined by Part B of the Individuals with Disabilities Education Act must be maintained by the school district for verification of its annual federal child count.

In four files the district did not conduct evaluations in all areas listed on the prior notice/permission to evaluate.

Follow-up: January 21, 2009

Finding:

The monitoring team identified the following issues:

Student #2 is reported as a 505; however there are no scores reported to support eligibility.

Student #6 is reported as a 530; however the student does not meet the eligibility for 530. The team should possibly consider the student be reported as 510.

Student #11 is reported as a 505; however there are no significant educational implications in the IEP or report.

Student #16 is reported as a 525; however a regression score of 79 was needed to qualify and there were no scores below 80. An override was completed on this student; however the override did not meet the documentation for eligibility. There were no scores reported or data to support the need for an override.

Each student's IEP team must meet and resolve the issues identified.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: All students identified as having a particular disability under IDEA will receive a comprehensive evaluation that supports and documents that (A) the student has that particular disability, and (B) due to that disability, suffers an adverse effect on educational performance, so that the student requires special education services to benefit from his or her education. Data Collection: All documentation of the "immediate fixes" will be sent to the team leader.	May 1, 2009	School District	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

2.GENERAL SUPERVISION

Present levels: from January 30, 2007

Out of compliance: Needs Assistance

CFR 300.304 Evaluation Procedures a) Notice. The public agency must provide notice to the parents of a child with a disability, in accordance with 300.50, that describes any evaluation procedures the agency proposes to conduct.

Through file review the monitoring team validates the remaining findings of the steering committee as concerns under the provision appropriate evaluation. In four files the district did not conduct evaluations in all areas listed on the prior notice/permission to evaluate. The lack of functional evaluation will be addressed under individualized education program.

Follow-up: January 21, 2009

State Performance Indicator: 8 and 11

Finding: Five files did not list all evaluations on the prior notice. The Brigrance, speech evaluations, and transition evaluations were given without consent. Parent input into the evaluation was not seen in 8 of the 20 files reviewed.

Corrective Action:

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
<p>Activity/Procedure: The state will provide professional development for all district staff in the area of evaluation, determining eligibility, functional assessment and content of individual educational program.</p> <p>Data Collection: The district will submit an agenda for professional development activities, a list of those in attendance, dates and time.</p>	April 15, 2009	State SEP	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
<p>Activity/Procedure: The district will document parent input into the evaluation, and cross check the prior notice for evaluation and the evaluation report to determine if necessary evaluation data is reported.</p> <p>Data Collection: The district will review and report the number of files reviewed since the onsite review. The data will include answers to the following questions: 1. Did parents have input into the evaluation before it began? 2. Were all the evaluations listed on the prior notice administered, and were there any evaluations administered that were not on the prior notice? 3. Was the student evaluated in all areas of suspected disability? 4. Did the placement committee determine eligibility in the proper disability category?</p>	February 15, 2009 and ongoing	School District	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

3. GENERAL SUPERVISION

Present levels: from January 30, 2007

Out of compliance: Needs Assistance

CFR 300.304 Evaluation Procedures. b) use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child that may assist in determining (ii) the content of the child's IEP.

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include: A statement of the student's present levels of educational performance, including: (a) How the student's disability affects the student's involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students); (2) A statement of measurable annual goals, including benchmarks or short-term objectives, related to: (4) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in activities described in this section; and (9) For each student beginning at age 16 or younger, if determined appropriate by the placement committee, a statement of the needed transition services, as defined in § 24:05:27:13.02, including, as applicable, interagency responsibilities or any needed linkages.

Through file review the monitoring team validates many of the steering committee findings as areas of concern under individualized education program. In three files functional assessment was not used to obtain specific relevant functional, developmental and academic information to assist in developing the IEP. As a result annual goals were not measurable or skill based and did not link to the PLAAFP. The PLAAFP did not consistently contain the student's strengths and needs in the skill area affected by the disability.

In four files the district did not adequately address how the student's disability affects his/her progress in the general curriculum. For example, a statement such as "because student has difficulty attending to tasks and weaknesses in the areas of math and written expression, student needs the support of special services to be successful with the regular classroom" does not address how the disability affects the students progress in the general curriculum.

In five files the district did not adequately explain/justify why the student's needs could not be met in the regular classroom. The statement "Because of the student's disability, the student needs the support of the special education department in to order to be successful in the regular classroom..." does not explain what educational strategies/interventions the student needs that require him/her to be removed from the regular classroom.

CFR 300.320 Definition of individualized Education Program (4) a statement of the special education and related services and supplementary aids and services to be provided to the child

Although the district consistently documented the amount of services and location of services in six files it did not specifically document the description of the special education and related services the district will provide for the student. For example, "Study Hall or Resource Room" does not provide the parent a description of services the district is committed to provide to the child.

CFR 300.320 Definition of individualized Education Program(b)Transition services. Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP...1) appropriate measurable postsecondary goals based upon age appropriate transition assessment related to training, education, employment, and where appropriate independent living skills.

Although there was transition evaluations conducted in five files, there was no report summarizing the evaluation results which affected the entire transition process within the IEP. The present level of academic achievement and functional performance page did not address the strengths and needs of all areas of transition which resulted in a lack of a coordinated set of activities to promote post secondary success of the student.

Follow-up: January 21, 2009

State Performance Indicator: 15

Finding: The monitoring team through a review of 20 files found the district staff did not consistently include functional information in the evaluation process by gathering, analyzing and developing a written summary of strength and needs for each skill areas affected by the student's disability. Many of the functional assessments listed scores from the Brigance evaluation instead of skills. The student's present levels of academic performance, development of annual goals therefore did not link to evaluation. Present levels lacked parent input in four files and were not skill specific for the disability in six files. Five out of twenty files reviewed for annual goals lacked the required content. They did not always state condition, performance or criteria. The following example, "using research skills, ____ will explore different learning style strategies that apply in 4/5 trials over a 9 week period."

Documentation of the description of special education services was seen in all files. Transition evaluations were conducted and represented a coordinated set of activities.

Corrective Action:

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
<p>Activity/Procedure: Functional skill based evaluations will be given to each child during the evaluation process to help develop PLAAFS.</p> <p>Data Collection: The District will submit evaluations, prior notices, MDAT, and IEPs of students with initial or reevaluations to verify the number of evaluations completed and the number having functional skill based evaluations and correct IEP content to the SEP.</p>	February 15, 2009 and ongoing	School District	

3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

3. GENERAL SUPERVISION

Present levels:

State Performance Plan - Indicator 3: Participation and performance of children with disabilities on statewide assessments.

1. Percent of districts meeting State's AYP objectives for progress for disability subgroup.
2. Participation rate for children with IEPs in a regular assessment with not accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
3. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

Finding:

Through a review of 7 student files, data gathered by the team indicated accommodations/modifications did consistently relate to the skill areas affected by the disability, but were not consistently provided in the student's instructional program, and accommodations identified in the IEPs for State/District wide assessment were not consistently used during the assessment administration.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
<p>Activity/Procedure:</p> <ol style="list-style-type: none"> 1. The district will review current policy/procedure to determine why discrepancies are occurring. 2. Develop a process that will allow for the appropriate documentation and provision of accommodations for state/district assessments. 3. Train IEP staff and testing coordinator in the procedures/process. 4. Implement procedures and collect data to verify accommodation are appropriately documented and provided during state/district assessments. 5. Analyze data collected to determine if procedures corrected discrepancy. Repeat steps 1 through 5 if discrepancies continue. <p>Data Collection:</p> <p>The district will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> 1. Written description of the districts review process to identify why the discrepancies are occurring. 2. Written description of the process the district will implement to correct the discrepancies. 3. Training documentation to include the date staff training occurred, name of individual who provided the training and sign-in sheet with the name of all participants/position titles, who attended the training. 	May 1 st and ongoing	Special Education Director and Staff & Testing Coordinator	